

2-3-2009

Montana Kaimin, February 3, 2009

Students of The University of Montana, Missoula

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Check out
intramural volleyball
page 5



Glasgow Courier
front page news
page 7

MONTANA KAIMIN

Tuesday, February 3, 2009

www.montanakaimin.com

Volume CXI, Issue 51

Glasgow recoups after fatal shooting

August Wing
MONTANA KAIMIN

It has been two weeks since the shooting, and in its wake the town of Glasgow is rebuilding.

At 4:30 p.m. on Jan. 17, Roger Lynn Sellers, 42, focused down the barrel of his rifle outside Frances Mahon Deaconess Hospital. Perched behind an outcrop, according to media reports, the sniper shot EMT Melissa Greenhagen, who was on duty and running across the parking lot to an ambulance. Sellers, with no apparent motive, hit Greenhagen once in the chest, and she was dead.

Seeing Greenhagen down, nurses Scott and Suzanne Billingsley ran to her side. Sellers shot Suzanne Billingsley in the back and shattered her foot, and shot Scott Billingsley through the hand and hip. Both are recovering.

Two miles across town, the Glasgow Scotties were playing the Scobey High School Spartans in a girls' basketball game.

UM freshman and Glasgow resident Hannah Sukut was watching her younger sister's game. Her father and mother, a Frances Mahon Deaconess Hospital employee, sat beside her in the bleachers.

"People come to Glasgow to live in peace," said Sukut, who sat in the gym as the principal announced a lockdown over the loudspeaker. "It was weird because my mother and two others from the hospital left at the same time, and I thought, 'What's going on?'"

Soon everyone reached for a phone to find out what was wrong.

"Within five minutes after they left, people started getting into a big commotion," said Sukut. Spartans and Scotties darted across the court, exchanging information as word of Greenhagen's death became known.

"There were police and fire trucks everywhere," UM freshman Shyla Pratt said. She attempted to drive into Glasgow with her father shortly after shots were fired. State, local and tribal law enforcement swarmed all of the streets, which had been barricaded, she said.

See GLASGOW, page 7

See saw



Taka Osuga/Montana Kaimin

Jacob Quigley, left, and Patrick Johnson, members of the UM Woodman Team, demonstrate crosscut sawing on the Oval Monday afternoon. The Woodman Team hosted various games, such as throwing a keg and an ax, for students to win tickets to the Foresters' Ball. Johnson said they are expecting 1,150 people to attend each night.

Negotiations stand in the way of establishing new retake fee

Allison Maier
MONTANA KAIMIN

After a semester of negotiations, ASUM and the administration may soon reach an agreement to change the fees associated with the University of Montana's class retake policy.

ASUM President Trevor Hunter, Vice President Siri Smillie and Senator Jon Dempersmier are scheduled to meet with Provost Royce Engstrom, Executive Vice President Jim Foley and Faculty Senate chair Andrew Ware on Wednesday to discuss the fee, according to Hunter.

ASUM and UM's administration have been negotiating the fee since last October, after the ASUM Senate unanimously opposed a proposal put forth by the Academic Standards Curriculum Review Committee [ASCRC]. The proposal would have required all students retaking courses to pay a \$50 fee when they registered for classes and would have automatically replaced a student's original grade in a course with his or her new grade at the end of the semester.

Under UM's current policy, there is no fee associated with registering to retake a course, and a student's previous and new grade are averaged together unless that student decides to pay a \$100 fee to get the old grade completely replaced with the new.

In December, the Faculty Senate voted to change the current grade replacement policy so that only the last grade a student receives in a course would be used for grade recalculation, though all grades received would still appear on a student's transcript. ASUM and the administration plan to use this retake structure and hope to determine the fee aspect of the policy so that the changes can be implemented for the fall 2009 semester.

University administrators drafted a fee proposal in November that members of ASUM have since altered to form a different proposal. These will be discussed at the upcoming meeting.

The course repeat proposal put forth by the administration would be to initiate the \$50 class

repeat fee but to use the money generated from the fee to go toward programs, such as tutoring, aimed at helping students succeed and stay in college. The proposal states that after two years, the fee would be reviewed and possibly eliminated altogether.

ASUM members have reviewed the proposal and are seeking adjustments before a compromise can be reached. They have proposed a tiered system in which a student pays \$25 to repeat a course the first time, \$35 to repeat a second and \$50 for a third time. As Hunter points out, the number of students willing to repeat a course decreases as the number of repeats increases.

ASUM is also asking that the revenue generated from the fee be directed to specific accounts reserved for various activities associated with increasing student retention rates, as opposed to going into UM's general fund, as it does now. Also, ASUM is requesting that these activities be presented to the ASUM and

See RETAKE, page 8

Elections of Regents a long shot

Molly Priddy
MONTANA KAIMIN

HELENA — Two bills that would allow for the direct election of the Board of Regents and the Board of Public Education received less than half of the Senate's approval as they head to the House.

Senate Bills 80 and 81, sponsored by Sen. Dan McGee, R-Laurel, received 20 and 21 Senate votes, respectively. Since they would be constitutional amendments, they need two-thirds approval from the Legislature. This means at least 79 of the 100 House representatives would need to vote for them to become law.

McGee said he sponsored the bills because the education boards need to be held accountable to the public. Opponents of the bills said board elections would not bring accountability, only partisanship and culture clashes.

Currently, the governor appoints board members.

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TODAY ON CAMPUS

• Roger McDonald, Oboe And Saxophone
Music Recital Hall
\$10 general public; \$5 students & seniors.

INSIDE THE KAIMIN

**THERE'S A FLY IN
MY BEER page 2**
Undercover music cops

**MULTICULTURAL FILM
PREVIEWS page 4**
Series welcomes diversity
on campus

FORECAST

High 45F
Low 25F

Editorial

Man, man's best friend should have same rights

If you haven't seen or read "Marley and Me" (Spoiler Alert), the climax of the story occurs when John Grogan, the dog's owner, makes the decision to put the rambunctious, destructive and cherished family pet to sleep, relieving Marley of the crippling symptoms of old age - a moment that resonates with pet and non-pet owners for its humane and respectful treatment of suffering.

Just before "Marley and Me" became the highest grossing family movie of the holiday season, Montanans were battling over the right of terminally ill people to end their lives in Helena. In the case of Baxter v. Montana, Judge Dorothy McCarter ruled on Dec. 5, 2008, that mentally sound, terminally ill Montanans have a constitutional right to choose to end their lives using physician-prescribed medication. The case stemmed from a lawsuit filed by Robert Baxter, a 75-year-old Billings man suffering from lymphocytic leukemia.

In his initial complaint, Baxter said he suffered from symptoms including chronic fatigue and weakness, nausea, intermittent and persistent infections, generalized pain and discomfort — symptoms expected to increase in frequency and intensity as his disease progressed. The complaint stated that because Baxter had no prospect of recovery and faced "the progressive, inexorable erosions of bodily function and integrity, increasing pain and suffering and the loss of personal dignity which is the hallmark of human life," he should be allowed to seek a physician's help to end his life in a "peaceful and humane" manner.

Unfortunately, Baxter died naturally of leukemia the very day the judge ruled in his favor.

Though the Montana Attorney General's Office requested a stay on the ruling, meaning that physician-assisted suicide would remain illegal until the Montana Supreme Court had ruled on the issue, McCarter rejected the stay, saying it would "deny the fundamental right of Montanans to die with dignity for a lengthy period of time while the case is being appealed."

For now, Montana joins Oregon and Washington, which passed the Washington Death with Dignity Act this past November, as the only three states that allow dying patients to end their lives with a doctor's assistance. Rep. Dick Barrett of Missoula will be introducing a bill in the current Legislature to incorporate McCarter's decision into state law, but there is also an opposing bill in the works. Opponents argue that Montana's right to privacy provision — under which advocates claim a right to choose to die with dignity — does not and should not apply to physician-assisted suicide.

Like millions of pet owners, Grogan chose to end his dog's life when the scope of Marley's suffering eclipsed his quality of life. Like Baxter, Marley suffered from chronic pain, fatigue, weakness and discomfort — symptoms that worsened daily. When dogs can no longer carry out their basic bodily functions or live without pain, we deem euthanasia the most humane solution, yet to humans we do not extend the same compassion. If a terminally ill person elects to end his own life with the help of a physician-prescribed lethal dose of medication, then we as fellow humans should, if not agree with, then respect his or her decision to die as humanely as possible.

Though most people wouldn't equate a dog's life with a human's, many pet owners would attest to the fact that the grief over losing a pet is comparable to that of losing a human loved one or friend. Though it hurts to make the tough decision to end a pet's life, they know that it is in the best interest of their animal. If we can afford this much empathy to man's best friend, why can't we extend it to man?

Lauren Russell, news editor
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Music licensing: Friend or foe?

Think about this the next time you plug your iPod into the speakers at Charlie B's: Undercover music researchers may be lurking in the coffee shops, bars, restaurants and even retail shops of Missoula. What are they doing?

They are keeping track of the music that establishments play and reporting back to their respective companies. If businesses play copyrighted music, they may have to deal with fines or federal court charges. Sounds like a case of sinister music corporations cracking the whip on small mom-and-pop joints for just playing music, doesn't it?

But what really comes into tune is the misunderstood and undervalued topic of music licensing. Nearly all music in the United States is licensed to one of three licensing companies that compensate artists, songwriters and composers whenever their work is played. This means that if a song is played in any sort of public place and the player or business owner has not purchased a license, he or she can be fined.

The penalties sound a little harsh, and it may seem selfish for recording artists to make even more money off of their songs after they have been purchased. But this argument is invalid in this particular context, because the music licensing companies are enforcing federal government legislation under the U.S. Copyright code and legislation.

Take, for instance, the largest music-licensing corporation, Broadcast Music, Incorporated [BMI]. It is a non-profit corporation that compensates artists every time an affiliated artist's work

THERE'S A FLY IN MY BEER

By Kelsey Bernius



plays in a public place. Paul Simon, Sheryl Crow and Toby Keith are some of thousands of artists who license their music. BMI hires music researchers, usually of college age, when they have reason to believe a particular business is playing unlicensed music. If BMI finds unlicensed music, they will offer the business a blanket license, which grants them unlimited use of about 6.5 million songs. BMI was recently hiring in Missoula, but the company will not release the names of establishments it is "researching" because it may cast a business in a preconceived prejudice of rule breaking.

Jerry Bailey, who works at BMI, says that the cost of licenses is based on the fire-code occupancy of a business and the intensity in which the music is played. For example, if a joint charges a cover, it has to pay more for a music license. Licenses at BMI range from about \$300 to \$9,000 a year, and most establishments in Missoula will fall on the lower end of music licensing fees.

Many artists depend on this compensation, because most songwriters struggle to pay bills like "the rest of us" and use songwrit-

ing as a supplemental income. According to BMI, the average annual income of licensed BMI songwriters today is \$5,000. Read: the majority of artists are not the ones we read in Rolling Stone or hear singing on the radio.

The profession spans several economic levels and demographics.

The United States Copyright law has been around for about a century already and is modified nearly every five years. Changes should be applied to the current law as it stands.

But why require businesses to obtain a license when they merely play music in the background? People don't drop four bucks for a beer at the Kettle House just to enjoy the mediocre classic rock in the background. If anything, the re-playing of songs, in most cases, is free advertising and promotion for the artist. The copyright law should allow the exemption of purchasing a music license for businesses that play music as a background setting. Hypothetically speaking, if a small business owner walks into Rockin' Rudy's, purchases a CD and plays it in his business that he owns, he or she should not be seen as breaking federal laws. The music is not producing revenue for that business; therefore compensation shouldn't be necessary.

Copyright laws exist for a reason, but this portion of the law is completely unenforceable. Congress, if it has time between voting down stimulus packages and digital television transitions, should amend this portion of U.S. copyright law.

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The Kaimin invites letters to the editor and guest columns.

Letters should be 300 words or fewer, and columns should be about 700 words. Please e-mail both to opinion@montanakaimin.com. Make sure to include a phone number.

Correction:

In Friday's Kaimin, the article concerning the American Indian exhibitions incorrectly stated that the facility operates without essential gallery standards like climate control, storage space and security. The article should have read that the facility does operate with these standards.

MONTANA KAIMIN

NEWSROOM PHONE 406-243-4310

The Montana Kaimin, in its 111th year, is published by the students of The University of Montana, Missoula. The UM School of Journalism uses the Montana Kaimin for practice courses but assumes no control over policy or content.

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Letters to the Editor

Attention President Dennison and Provost Engstrom:

I have worked at the front desk of the Undergraduate Advising Center for four years now and have had the pleasure of working with an amazing staff. We work together, communicate well and, most of all, maintain a positive working environment. One of the staff members is Melanie Hoell. As of this Friday, Hoell will no longer be the Undergraduate Advising Center Director due to a decision from Main Hall.

This letter isn't to tell you the awards that Hoell has received and the ones she's been nominated for, or even the number of students she has helped, because obviously those figures seem to be of little importance to you. If you understood her as both a woman and a professional, she would still have her job. What matters right now is the number of people supporting her.

If you made this choice based solely on an administrative decision, then I support that. In all honesty, it appears that this has nothing to do with professionalism, but a personal vendetta.

I am very happy with the progress the advising center has made; however, this decision about Hoell's firing leaves me bitter. It is going to be very hard for me to work under these conditions and remain positive. I appreciate the UAC staff and know they will remain professional in this ordeal. I, however, cannot say the same about myself.

If you honestly think that someone can replace Hoell, I wish you the best of luck, but let's be honest - even Shaquille O'Neil couldn't fill her shoes.

President Dennison and Provost Engstrom, you still have time to do the right thing.

Jenae M. Zaharko, senior, journalism

Johns Hopkins psychiatrist speaks on depression in black community

Kimbill Bennion

MONTANA KAIMIN

Even in a "so-called post-racial society," psychiatrist Annette Primm says that racism is "alive and well" in America, and that it affects the mental well-being of minorities who experience it.

"Culture, indeed, does count," she said.

Primm, a professor of psychiatry from Johns Hopkins University, spoke Monday in the University Theatre for the semester's first installment of the President's Lecture Series, coinciding with UM's observance of Martin Luther King Day.

Primm's lecture focused on depression and its relationship to the black community.

Suicide is the third leading cause of death among black men between the ages of 15 and 24, she said. Other problems facing the black community, such as high numbers of black men in the prison system and substance abuse, are part of a "cascade of negative consequences" that come when mental health needs aren't addressed.

Bias and stereotyping in the medical community is one of the

sources of this problem, Primm said, but prevailing attitudes in the black community also have something to do with it.

Many black people resist seeking help for depression because of what Primm called a double stigma. On top of the stigma that exists from being black, she said, there's an additional fear of being looked down upon within one's social network for going to see a doctor for depression.

Another common myth in the black community is what Primm described as "John Henryism," based on the hard-working mythical character. Many black people think that throwing themselves into their work or keeping busy will cure their depression symptoms.

"We should not see functionality as a proxy for wellness," she said.

Blacks and other minority groups are in what Primm called a vicious cycle of unmet mental health needs. Higher incidences of suicide, incarceration and drug abuse both contribute to, and are caused by, poor mental health among minorities. Meeting these needs, Primm said, will help end this cycle.

Hard times have been a part of the black American experience since the days of the slave trade. Primm illustrated this by showing old footage of a performance by jazz legend Louis Armstrong. He sang: "How would it end? Ain't got a friend. My only sin is my skin. What did I do to be so black and blue?"

"To me," said Primm, "the song really does, indeed, describe depression in a very real sense."

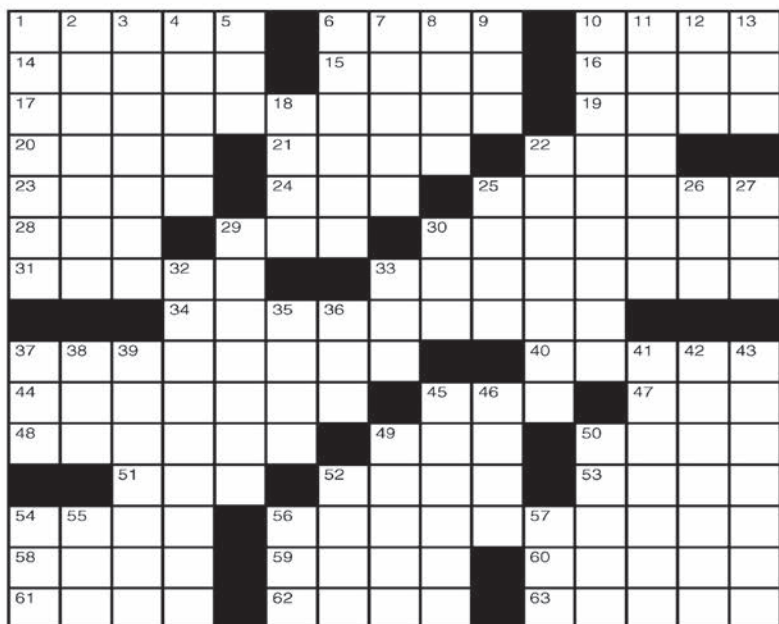
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Crossword

- ACROSS
- 1 Dog on "Family Guy"
 - 6 Cruise and Mix
 - 10 "Mephisto Waltz" star
 - 14 Permissible
 - 15 Dunkable treat
 - 16 "The best ___ plans..."
 - 17 Renovated
 - 19 Little devils
 - 20 Disarming charm
 - 21 Edinburgh man
 - 22 Id companion
 - 23 Wet expanses
 - 24 Singer Janis
 - 25 Beatty/Hoffman movie of 1987
 - 28 Beverage dispenser
 - 29 Metal container
 - 30 Without speaking
 - 31 City near Venice
 - 33 Skim chicken stock
 - 34 Hepburn film
 - 37 Aerials
 - 40 Extent from side to side
 - 44 Tenpins or candlepins
 - 45 Possesses
 - 47 Beluga product
 - 48 Heebie-jeebies
 - 49 Min. part
 - 50 Bartok or Lugosi
 - 51 Pompous one
 - 52 Pueblo people
 - 53 Sing praises
 - 54 Invites
 - 56 Monopoly and Clue
 - 58 Highlander
 - 59 Grudging praise
 - 60 Ultraviolet filter
 - 61 Form a vortex
 - 62 Pipe fittings
 - 63 Article of faith

- DOWN
- 1 Explodes
 - 2 Nice place?
 - 3 Reykjavik's land
 - 4 Buenos ___
 - 5 Max degree



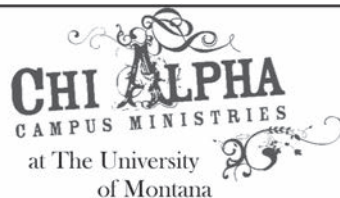
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2/3/09

Solutions

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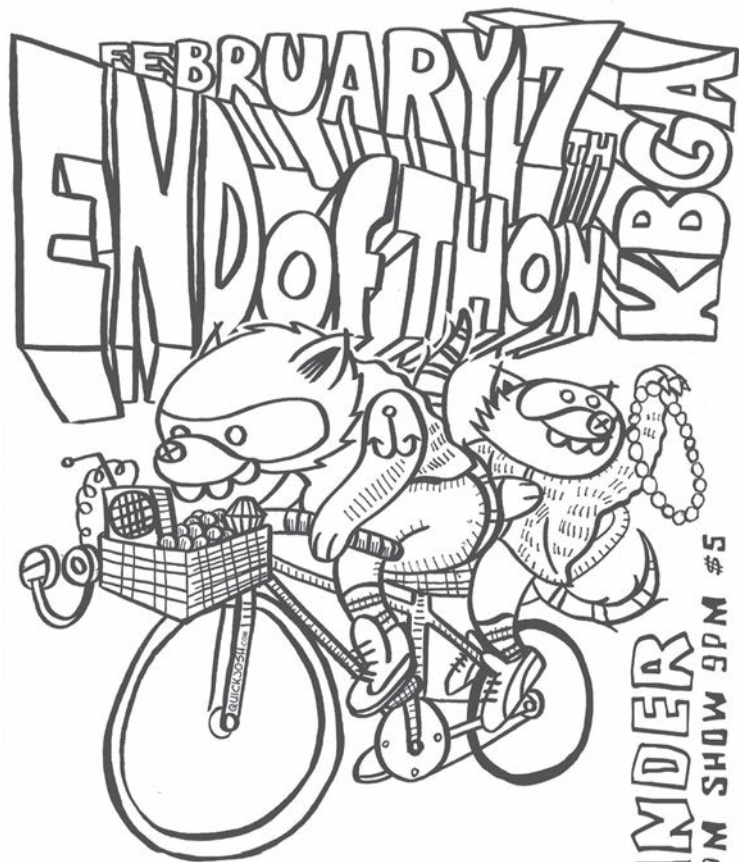
- 39 Fine-tuned
- 41 Aerosmith hit
- 42 Part of TNT
- 43 Cellular phone attachment
- 45 Ford and Clay
- 46 LSD, for short
- 49 Debonair
- 50 Burst of fire
- 52 Climatic region
- 54 Big time
- 55 Heavy-hearted
- 56 Risk
- 57 Obtained



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Multicultural Alliance Film Series this week

Carmen George
MONTANA KAIMIN

Cultural differences extend beyond race and geographic location, according to University of Montana Multicultural Alliance program adviser Josh Peters-McBride.

Middle children and the impoverished are examples of distinct cultures that often go unacknowledged, Peters-McBride said.

"Culture is one of those topics that encompasses everyone, whether they like it or not."

Peters-McBride hopes to engage students in an inquiry and discussion of different cultures with the kick-off of the fifth annual film series sponsored by the Multicultural Alliance this week. The first film of the series, "Meeting David Wilson," a documentary on the enduring legacy of slavery in today's young black society, will show Tuesday, Feb. 3 at 7 p.m. in the University Center Theater. The showing is free and open to the public. A short discussion about the film with UM professors will also take place following the film, Peters-McBride said.

"This is a bridge between the academic classroom and real life experience," Peters-McBride said. "We're bringing different students and student groups together to engage in a discussion on different

cultures other than their own."

There will also be free cookies at the films, Peters-McBride said with a smile.

The Multicultural Alliance, an umbrella program under UM's Center for Student Involvement and Leadership Development, aims to build a more welcoming and diverse campus by recognizing and bringing together different cultures and ethnic groups on campus. The film series aims to promote this mission with films running through the end of April that will cover a wide array of different issues facing American society today.

Each film addresses a specific theme, starting with black history and moving into American Indians, International Women's Day and Iran, politics and the war in Iraq, Pride Week and finishing with immigration. The films will show on Tuesdays in February and Wednesdays in March, Peters-McBride added.

"I hope people come and see some great documentaries," Peters-McBride said. "This is not only a chance to see these amazing films, but also a chance to learn about the culture behind the films."

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Preparing to Kill a Mockingbird



Bess Brownlee/Montana Kaimin

Lily Gladstone applies stage makeup in the dressing room before the Friday performance of Montana Repertory Theatre's "To Kill a Mockingbird." Gladstone plays Mrs. Dubose, the cranky elderly neighbor living next to the Finch family. "To Kill a Mockingbird" will tour the country until May 17.

Holder wins Senate confirmation as first black attorney general

ASSOCIATED PRESS

WASHINGTON—Eric Holder won Senate confirmation Monday as the nation's first African-American attorney general, overcoming Republican concerns over his commitment to fight terrorism and his unwillingness to back the right to keep and bear arms.

The vote was 75-21, with all the opposition coming from Republicans.

Holder's chief supporter, Sen. Patrick Leahy, said the confirmation was a fulfillment of civil rights leader Martin Luther King's dream that everyone would be judged by the content of his or her character.

"Come on the right side of history," said Leahy, D-Vt., chairman of the Judiciary Committee.

Holder becomes the only black in the Obama administration in what has traditionally been known as the president's Cabinet. Three other African-Americans have been chosen for top administration positions that hold the same rank.

Holder was a federal prosecutor, judge and the No. 2 Justice Department official in the Clinton administration. Even his critics agreed that Holder was well-qualified, but they questioned his positions and independence.

The debate turned partisan in

its first moments, when Leahy, expressed anger that a few Republicans demanded a pledge from Holder that he wouldn't prosecute intelligence agents who participated in harsh interrogations.

Leahy singled out Texas Republican John Cornyn as one who wanted to "turn a blind eye to possible lawbreaking before investigating whether it occurred."

"No one should be seeking to trade a vote for such a pledge," Leahy said.

When Cornyn rose to announce his vote against Holder, he did not make such a demand. However, he accused the nominee of changing his once-supportive position — on the need to detain terrorism suspects without all the rights of the Geneva Convention — to one of harshly criticizing Bush administration's counterterrorism policies.

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SIDE
LINES



HOME GAMES
THIS WEEK

No home games this week.

SPORTS BRIEFS

Basketball: Lady Griz senior guard Mandy Morales earned her Big Sky Conference-record thirteenth Player of the Week honors this week. Morales averaged 31 points, 6.5 rebounds and six assists over the weekend. Griz junior guard Anthony Johnson earned co-Player of the Week award for the second week in a row. Johnson averaged 17.5 points, 4.5 assists and 2.5 rebounds in wins over Portland State and Eastern Washington.

Women’s tennis: Montana (2–0, 1–0 Big Sky) earned its first two wins of the spring season, defeating Montana State University-Billings 7–0 and Portland State 5–2. Senior Liz Walker won all of her matches over the weekend.

Track: Montana indoor track and field teams had seven individual winners and 10 Big Sky Conference qualifiers at the Montana State Duals in Bozeman. That brings the women’s total to 12 qualifiers and the men to 13.

STANDINGS

WOMEN’S BASKETBALL

School	Conf.	Total
Montana	7-1	18-4
Portland State	7-1	14-7
N. Colorado	4-4	10-11
E. Washington	4-4	9-12
Montana State	3-5	9-11
Idaho State	3-5	6-15
N. Arizona	3-5	6-15
Sac. State	3-5	5-16
Weber State	2-6	7-14

MEN’S BASKETBALL

School	Conf.	Total
Weber State	8-1	14-8
Montana	7-3	13-9
Portland State	6-3	15-7
Montana State	5-4	11-9
N. Colorado	5-5	9-14
Idaho State	4-5	7-16
N. Arizona	3-6	6-14
E. Washington	3-7	9-13
Sac. State	1-8	2-20

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Can you dig it?



Taka Osuga/Montana Kaimin
Kohei Umehara, right, spikes the ball during an intramural game in the West Auxiliary Gym on Monday evening. Umehara is from Kyoto, Japan, and studies at the English Language Institute. He hopes to be accepted into the university this fall.



Griz Notebook:
UM men, women stay in hunt; MSU breaks through

Roman Stubbs

MONTANA KAIMIN

Although Montana opened the second half without scoring for nearly nine minutes, Wayne Tinkle’s club knuckled down defensively on Eastern Washington to escape with a 60-52 win in a Big Sky dogfight Saturday at Dahlberg Arena.

The Montana drought started with just over 19 minutes to play, missing nine straight shots and allowing the Eagles to put a 10-0 run together and knot the game at 32. But the score didn’t move for nearly five minutes as Montana forced Eastern to miss five straight shots, including three contested lay-ups at the rim. Anthony Johnson’s three-pointer broke the ice and gave Montana a 35-32 lead that they never relinquished. The defensive stand was a hallmark of Montana’s identity all year, as they continue to lead the league comfortably in scoring defense.

They defended exceptionally well against two of the league’s premier talents on back-to-back nights, first limiting Portland State’s Jeremiah Dominguez to five points on Thursday night, then turning around and putting the vice grip on Eastern Washington’s Benny Valentine Saturday. Valentine, the stocky former Bobby Knight recruit who transferred from Texas Tech a year ago, entered the night as the league’s leading scorer at 16.87 per contest. But in the midst of a six-game skid for the Eagles, Kirk Earlywine benched Valentine, and on Saturday at Dahlberg he was rusty off the pine, missing all six of his three-point attempts and finishing with just eight points on 4-of-15 shooting. Johnson scored 20 points and dished six assists, while Jordan Hasquet added 11 points and Jack McGillis chipped in 10.

While there will be no love lost when Robin Selvig’s Lady Griz travel to Bozeman Saturday to meet their instate rival, Montana had Montana State to thank last Saturday night after the Bobcats upset Portland State 94-90 in overtime, vaulting the Lady Griz back into a share of first place two nights after losing to the Vikings. Erica Perry, Montana State’s versatile point guard, scored 27 points, including 16 after intermission. Montana took care of Eastern Washington in convincing fashion Saturday night, winning 81-57 behind 28 points from Mandy Morales, who played like a woman possessed in Portland, dropping 34 points and carrying Selvig’s club on a night when no other player broke double figures. Portland State won 72-62 in a clash of Big Sky titans. But with both teams now 7-1, courtesy of the Bobcats, the last game of the season could very well be for the Big Sky regular season title - March 7, when the Vikings visit Morales and company at Dahlberg for senior night.

Portland State has fallen far since their December 23 win over then-No. 7 team in the country Gonzaga in Spokane. But instead of slicing through the Big Sky Conference schedule and into the hierarchy of mid-major polls nationally, the Vikings have lost three league contests, the latest coming Saturday in Bozeman, as Montana State led early and often en route to a 84-81 win. Will Bynum had a career-high 24 points and seven steals, and the Bobcats swarmed the Portland State starting five, limiting them (the league leaders in scoring) to 32 combined points. With Portland State now sitting at 6-3 and two games back from Weber State (8-1), the stakes have risen for Montana (7-3) this weekend when they meet Montana State (5-4), as well as another pivotal game at Dahlberg on February 19 when Weber State visits Missoula.

roman.stubbs@umontana.edu



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RETAKE

Continued from page 1

Faculty senates before they are approved. According to Hunter, it is currently difficult to determine exactly how the money is being spent.

In addition, while the university's proposal states that the fee would be reviewed and possibly eliminated in fall 2011, the ASUM proposal requires the termination of the fee after two years.

The policies of 15 other campuses in the state, including those affiliated with UM, vary in wording but all say essentially the same thing: If you retake a class, the second grade you receive in that class is used to calculate your GPA automatically. None of them mention a fee.

And while the assistant regis-

trar at Montana State University explains that the Bozeman university has maintained the same policy of never charging any type of repeat fee since the 1970s, UM's current policy of charging a fee, which was implemented 13 years ago, has been debated off and on in recent years.

The fee was originally used as a way to reserve a seat in a frequently repeated course, according to Engstrom. At that time, classroom space was limited and some students were unable to meet graduation requirements in time, but Engstrom acknowledges that these are no longer issues.

Nevertheless, the grade replacement fee remains.

In Spring 2007, the ASUM Senate and ASCRC attempted to completely eliminate the fee. In February 2008, the Faculty Senate made an attempt as well, saying the optional fee put underprivileged students at a disadvantage.

The administration quashed these efforts, saying UM couldn't afford to lose the revenue that comes from the fees. Last fiscal year, this amounted to \$131,356, according to associate director

of planning Tony Tomsu. This money goes into the university's general fund, which is used to finance short-term costs associated with educating students, such as scholarships and student groups, Tomsu said.

The ASCRC said the mandatory \$50 fee they proposed in October would not cost the university much loss in revenue because, currently, a little over half of the students who are retaking a class choose to pay the \$100 replacement fee.

A week after the ASUM Senate's rejection of the policy, the ASCRC handed over the responsibility of negotiating a fee to ASUM and the administration. The ASCRC itself took over the job of structuring the repeat policy — deciding whether it was best to completely replace the first grade with the second, or whether to average the two together.

Engstrom said he doesn't feel pressured by the fact that UM is the only Montana university with a fee attached to its retake policy.

"To me, that in itself isn't reason to change the policy," he said.

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Daschle pleads his case to keep nomination alive

ASSOCIATED PRESS

WASHINGTON — Fighting to salvage his Cabinet nomination, Tom Daschle apologized from morning to night on Monday for failing to pay more than \$120,000 in federal taxes. President Barack Obama said he was "absolutely" sticking with his choice for health secretary, and a key senator added an important endorsement.

The White House both underscored the magnitude of the problem and tried to downplay it in the space of seven words. "Nobody's perfect," said press secretary Robert Gibbs. "It was a serious mistake."

Nobody was predicting defeat for Daschle's nomination as secretary of health and human services, but it was proving an unsavory pill to swallow for senators who only last week confirmed Timothy Geithner as treasury secretary despite his separate tax-payment problems. It's an issue that strikes a nerve among lawmakers' constituents who are struggling with their own serious money problems.

On the bright side for Daschle, he got warm words of support from the chairman of the Senate Finance Committee, the panel that will have the first say on his fate. Daschle has been "an invaluable and expert partner" in efforts toward health care reform, said Democrat Max Baucus of Montana — an especially important endorsement since the two men have had tussles in the past over Baucus' handling of GOP tax-cut proposals, Medicare changes and other issues.

A number of other Democrats on the committee also voiced their support. John Kerry of Massachusetts said that, "there is a completely understandable, absolutely acceptable and rational explanation for what happened here."

Republicans weren't so quick to get in line.

Going into a private meeting between Daschle and committee members late Monday, Iowa Sen. Chuck Grassley, top Republican on the Finance panel, was asked if he supported the nomination. He responded, "Ask me after the hearing a week from tomorrow," a reference to Daschle's public confirmation hearing.

After the meeting, which lasted a little more than hour, Daschle apologized anew.

"It was completely inadvertent, but that's no excuse," he said. "I apologize to President Obama, to my colleagues and to the American people."

Daschle, the former Senate Democratic leader, expressed his remorse earlier in a letter to the Finance Committee, saying he was "deeply embarrassed and disappointed" about what he said was an unintentional failure to pay taxes that he owed. He recently filed amended returns for 2005-07 to report \$128,203 in back taxes and \$11,964 in interest.

Obama, asked at the White House whether he was standing by his nomination, answered, "Absolutely." He did not elaborate.

Vice President Joe Biden, a former longtime senator, was making calls to Capitol Hill trying to cement support.

In his letter, released Monday, Daschle sought to explain how he overlooked taxes on income for consulting work and the use of a car service. He also deducted more in charitable contributions than he should have.

White House spokesman Gibbs noted Daschle's long tenure as a senator from South Dakota and said it would be up to the Senate to weigh a "serious, but corrected mistake against that three-decade career in public service."

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